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in political and non-political and ministerial acts, to his power of administrative execution; in other words, the first part treats of the executive and his powers and functions. In part two the subject of relief against administrative action is considered under three heads: actions to recover damages or money against various administrative officers; the second chapter of part two deals with actions for specific relief, that is, actions in which *mandamus*, *quo warranto*, *certiorari*, and *habeas corpus* proceedings are instituted to obtain specific relief from administrative officers; the last chapter is devoted to judicial control over the various administrative officers.

This book creates a favorable impression at first glance by reason of its attractive green buckram binding and clear print on heavy paper. The difference in treatment as compared with Goodnow's case book on the same subject is very marked. Goodnow, in his recital of cases, devotes more space to the statement of facts and such parts of the opinion as will bring out all the points of administrative law, considered in each particular case; Freund, on the other hand, includes only the part of each case which applies directly to the special topic or principle which the case is intended to illustrate. As Goodnow intends his casebook to supplement his textbook on the principles of administrative law he makes use but sparingly of additional references in form of foot notes, while Freund uses these to facilitate a more thorough study of administrative law.

*Robert T. Potts.*

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**EQUITY IN PROCEDURE.** By William T. Hughes. Central Law Journal Co., St. Louis, 1911.

If there is anything in this volume that really bears on equity or procedure it will probably remain undiscovered for the author's style is so obscure and his method so discursive, that it is doubtful whether the average lawyer could be persuaded to analyze its involved passages, with a view to determining what it is that is intended to be proved. On the other hand, some will no doubt enjoy his trenchant criticisms of the "legal jungle" and regard as profound his restatement of some of the obvious principles of law in terms of maxims. These latter are applied to legal topics in groups or, socalled, "trilogies" with auxiliary maxims or "cognates." Now, as Austin Abbott has said, there is a certain charm about legal maxims. They seem to put so much wisdom in so few words. But when the attempt is made to solve a question by maxims, it usually results in resolving the question into another double question, quite as debatable as the first, namely, which of two or more maxims is properly applicable? From the thousand and one aphorisms that have been handed down from the remote past it is of course, possible to select some that pithily express some phases of rules of law, or what were rules of law. But to seek in maxims the rules of social conduct, or the reasons for those rules or the principles upon which they are based, is to search the shadow for the substance, and to assume that modern jurisprudence will find its "datum posts" in wise saws and their modern instances is, putting it mildly, to underestimate the progress of the law as a science.

*W. H. L.*

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**CASES ON PERSONS AND DOMESTIC RELATIONS.** By Albert M. Kales, Professor of Law in Northwestern University. American Casebook Series. St. Paul: West Publishing Co. 1911. Pp. XXIX, 654.

The author states in his prefatory note that in compiling this casebook he endeavored to incorporate those requisites which he thought Professor Ames had in mind when writing casebooks. These he conceived to be: A comparative study, in a given subject, of the law of all jurisdictions where

the law was founded upon the common law of England; brevity in pages; and information for the notes.

It would seem that Professor Kales has done his work well, although the volume is open to criticism, chiefly in respect to size. The text, notes, and index cover 654 pages, not including cases on "Marriage and Divorce," which are to be given in a supplement. Greater brevity might have been secured by omitting some of the cases in the collection. Although the author has used a number of problem-raising cases, he has incorporated some which are important for the information they convey rather than for the problems they present. Such cases might well have been placed in the footnotes.

Again, even when the cases are important as problem-raising, it sometimes happens that several cases given under the same heading present the same problem with like answers, or that the problems raised vary but little, one from another. Some of these cases are not of enough importance to justify their retention in the text at the cost of increasing the size of the book; they, too, could have been placed in the notes.

The result of thus reducing the number of cases would have been to decrease the size of the book, without impairing its efficiency, and to encourage its use by those law schools which allow a limited time for the study of the subject of which it treats.

As it is, however, the work deserves commendation. Evidently, Professor Kales has given considerable study to the subject, and has exercised discretion in selecting his cases. Not only are most of them valuable for the purpose of training in case analysis, but, apparently, the whole field of jurisdiction has been searched, and drawn upon to furnish material for text and notes.

A feature of the book which makes it all the more valuable for classroom work lies in the notes. The author, wisely, has made no attempt to have these notes take the place of a digest of the topics discussed, but has endeavored to furnish a great deal of valuable information without using too much space.

The subject matter is arranged, in a way that is satisfactory, under numerous topical divisions and sub-headings. An excellent feature is the inclusion in the table of cases of those cited in the footnotes, although the value of the table is lessened considerably by the fact that the cases are indexed under the name of the plaintiff only.

In conclusion, it may be said that, while open to criticism, the book is well adapted for its purpose, and should prove of value not only in inculcating the principles of the subject of which it treats, but also in offering opportunities for analytical training in case law.

*J. T. C.*

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**CASES ON SURETYSHIP.** By Crawford D. Hening, Professor of Law in the University of Pennsylvania. American Casebook Series. St. Paul: West Publishing Co. 1911. Pp. XVIII, 620.

This book is the most recent casebook on Suretyship. It has been issued in the American Casebook Series, which is being prepared under the general editorship of James Brown Scott. Thirteen books, comprising about one-half of the series, have been published or are in press and will soon be issued.

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